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091078.0995

10-04-04

SERIAL NO.
10/071,513

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert J. Barry, et al.
U.S. Patent Serial No.: 10/071,513
Filing Date: February 8, 2002
Examiner: John C. Hong
Group No.: 3726
Notice of Allowance Mailed: September 22, 2004
Confirmation No.: 3337
Title: *Manufacturing Facility and Method of Assembling Temperature Controlled Railway Car*

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this communication is being deposited with the United States Postal Service as Express Mail No. EV 473956835 US addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Angela Sclining
Name
10/01/04
Date of Signature

**REQUEST FOR CONSIDERATION OF AN INFORMATION
DISCLOSURE STATEMENT SUBMITTED BEFORE
MAILING OF THE NOTICE OF ALLOWANCE**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Hong, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statement filed August 9, 2004 has been considered.

On August 9, 2004 Applicants filed an Information Disclosure Statement (IDS) with PTO-1449 form (1 page) attached, listing the references submitted for consideration. Copies of the cited references were also included. This IDS was received at the U.S. Patent and Trademark Office on August 9, 2004 as shown on the returned, date-stamped postcard, copy

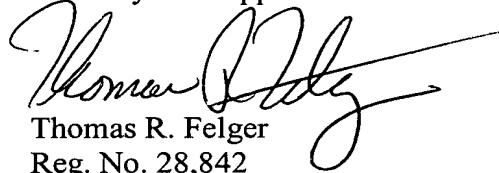
of which is attached. For the convenience of the Examiner, a copy of the Information Disclosure Statement and the cited references filed August 9, 2004 is enclosed.

The Notice of Allowability for this application was mailed on September 22, 2004. However, Examiner Hong has not returned a copy of the PTO-1449 form indicating consideration of the references cited in the Information Disclosure Statement filed August 9, 2004.

Accordingly, **Applicant hereby requests confirmation of consideration of the previously filed Information Disclosure Statement.** Examiner Hong is requested to initial the references listed on the PTO-1449 form to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.

Attorneys for Applicants



Thomas R. Felger
Reg. No. 28,842

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(512) 322-2599

Enclosures: Copy of Information Disclosure Statement filed August 9, 2004
with Form PTO-1449 and copies of the cited references;
Copy of acknowledgment post card showing
date stamp of August 9, 2004..

ATTORNEY DOCKET

091078.0995



PATENT APPLICATION

10/071,513

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert J. Barry et al.

Serial No.:

10/071,513

Filing Date:

February 8, 2002

Examiner:

John C. Hong

Group Art Unit:

3726

Title:

**MANUFACTURING FACILITY AND METHOD
OF ASSEMBLING TEMPERATURE
CONTROLLED RAILWAY CAR**

MAIL STOP - AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service as Express Mail No. EV351290883US addressed to: Mail Stop - Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 9, 2004.

Shannon Judice

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the references listed on the enclosed PTO-1449 form be considered and cited in the examination of the above-identified application. A copy of the references is enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), no representation is made that these references are material to the patentability of the present application.

ATTORNEY DOCKET
091078.0995

PATENT APPLICATION
10/071,513

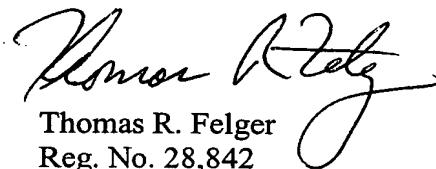
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Applicants enclose a check in the amount of \$180.00 for the filing fee, and believe no further fees are due, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P. in order to effectuate this filing.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorney for Applicants



Thomas R. Felger
Reg. No. 28,842

Date: 9 AUG 2004

SEND CORRESPONDENCE TO:

AT CUSTOMER NO. **23640**
512.322.2599
512.322.8305 fax

PTO-1449

Application No.

10/071,513

Applicant(s)

Robert J. Barry et al.

**Information Disclosure Citation
in an Application**

OCT 01 2004

Docket Number

091078.0995

Group Art Unit

3726

Filing Date

February 8, 2002

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
A	5088434	2/18/92	Harding	114	85	12/21/90
B	5460290	10/24/95	Hanning et al.	220	421	3/28/95
C	5802984	9/8/98	Thoman et al.	105	404	7/19/96
D						
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FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
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P						
Q						

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
R		
S		
T		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



OCT 01 2004

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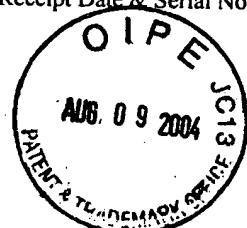
The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

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|---|--|
| Application - Spec., Claims, Abstract (<u> </u> Page(s)) | <input type="checkbox"/> Verified Statement (<u> </u> Page(s)) |
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| <input type="checkbox"/> Informal/Formal Drawing(s) (<u> </u> Page(s)) | <input type="checkbox"/> Issue Fee Transmittal (<u> </u> Page(s)) |
| Declaration(s)/Power(s) of Attorney (<u> </u> Page(s)) | <input type="checkbox"/> Check No. <u> </u> Amt.: \$ <u> </u> |
| <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted | <input checked="" type="checkbox"/> Check No. <u>107690</u> Amt.: \$ <u>180.00</u> |
| <input type="checkbox"/> Assignment w/ or w/o Cover Sheet (<u> </u> Page(s)) | <input type="checkbox"/> Other: Postcard |
| <input checked="" type="checkbox"/> IDS and PTO-1449 (<u>3</u> Page(s)) | |
| <input checked="" type="checkbox"/> w/Refs. <input type="checkbox"/> w/o Refs. | |
| <input type="checkbox"/> Non-Publication Request (<u> </u> Page(s)) | |

Inventor(s): Robert J. Barry et al. Serial No.: 10/071,513

Receipt Date & Serial No.:

Title: *Manufacturing Facility and Method of Assembling Temperature Controlled Railway Car*



Client/Applicant: Trinity BB File No.: 091078.0995

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AUG 16 2004